

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

UNITED STATES OF AMERICA,

v.

SAMNANG AM,

Defendant,

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)
)
)
) **CRIMINAL ACTION**
) **NO. 05-10226-RWZ**
)
)
)

FINAL STATUS REPORT

June 7, 2006

HILLMAN, M.J.

The following is a Final Status Report to Zobel, J. to whom this case is assigned:

1. Discovery

There are no outstanding discovery issues at this time. The Government represents that all Rule 16 and automatic discovery material have been provided to Defendant's counsel or made available for counsel's review and they further represent that they are aware of their continuing discovery obligation.

2. Local Rule 116.5(C)(3) - Insanity or Public Authority Defense

The defendant does not anticipate raising either of these defenses.

3. Local Rule 116.5 (C)(4) - Government Request for Notice of Alibi

In its automatic discovery letter dated October 17, 2005, the government requested written notice of any intention to offer a defense of alibi for the crime charged in the indictment. The

defendant does not anticipate raising a defense of alibi.

4. Local Rule 116.5 (C)(5) - Motions

Defendant intends to file a motion to suppress evidence and statements obtained as result of his arrest on May 26, 2005 and reserves the right to file a motion to dismiss the indictment. Defendant requests until July 13, 2006 to file the motions to suppress and dismiss and the government requests three weeks to file its response. Since I am returning this case to Judge Zobel, I informed counsel that I would note their requests in this Final Status Report and that they should confirm these dates with Judge Zobel's clerk

5. Local Rule 116.5 (C)(7) - Early Resolution of the Case

The parties believe that it is too early to tell whether a trial will be needed and anticipate that the outcome of the motions to suppress and/or dismiss may motivate further discussions. If this case does go to trial, the parties anticipate the trial will last approximately one (1) week.

6. Local Rule 116.5 (C)(8) - Speedy Trial Act

The parties have jointly requested that the time from the date of the Final Status Conference (June 6, 2006) until the time for the filing of the government's response to defendant's motions be excluded from the provisions of the Speedy Trial Act. As of the Final Status Conference, zero days will have been credited against the time provided by the Speedy Trial Act and seventy days will remain under the Speedy Trial Act.

/s/Timothy S. Hillman
TIMOTHY S. HILLMAN
MAGISTRATE JUDGE